REMARKS

Claims 1-31 are pending in the present application. Reconsideration of the claims in light of the following arguments is respectfully requested.

I.   35 U.S.C. § 103, Obviousness; Claims 1, 6, 7, 8, 13, 14, 15, 20-22, 27 and 28

The examiner has rejected claims 1, 6, 7, 8, 13, 14, 15, 20-22, 27 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Hawkins et al., (6,343,318) (hereinafter "Hawkins") in view of Ginter et al., (5,892, 900) (hereinafter "Ginter"). This rejection is respectfully traversed.

The rejection states:

> **8. Regarding independent claim 1,** Hawkins discloses in Figure 1 receiving a request for the original JSP file at a server, the request being sent from a PvC device, the JSP file being stored at the server. ... Hawkins anticipates the HTML page stored at the server as also being embodied as JSP, as described in the next paragraph.
>
> Hawkins recites: "The proxy server 180 responds to requests by wireless clients 405 to fetch either web content or messaging in formation. The proxy server 180 carries most of the burden of bringing the information from the Interne 190, converting it to wireless client 405 compatible CTP and CML formats, and transferring it to the wireless client 405 over the wireless network" (column 261, lines 17-23) and "The wireless client 405 and the proxy server 180 use a special format for transferring screen 101 contents from the proxy server 180 to the wireless client 405. This format, named Compact Markup Language (CML), emphasizes compactness over readability and generally uses variable length binary bit fields instead of text to represent options and formatting information" (column 21, lines 33-40). Hawkins further recites "CGI (Common Gateway Interface) scripts can be supported. CGI scripts are used by the web server 140 to respond to form submissions by browsers and for customizing web content for a particular user. When the browser 104 requests a web document that corresponds to a CGI script, the brows r 104 can append text parameters to the end of the base document URL. The proxy server 180 will parse the parameters out" (column 13, lines 44-51) and "Alternatively, the wireless applications can standalone applications access through the browser 104. The applications can be C programs, JAVA programs, and/or compressed markup language (CML) or HTML pages" (column 9, lines 34-37). Hawkins also recites: "The wireless application 106 represents one of many predefined

applications that are stored locally on the wireless communications device 100" (column 9, lines 15-17).

... Hawkins fails to disclose the masking and unmasking of specific tags in the conversion process. Ginter teaches the use of masking tags. Ginter recites: "UDEs 1200 are preferably encrypted using a site specific key once they are loaded into a site. This site-specific key masks a validation tag" (column 150, lines 35-37).

Therefore, it would have been obvious, to one of ordinary skill in the art, at the time the invention was made, to combine the masking of tags as taught by Ginter with the transformation of files for pervasive computing devices as taught by Hawkins in order to "maintain the integrity, availability, and/or confidentiality of such information and processes related to such use" (Ginter, column 1, lines 13-15).[1]

Representative claim 1 recites:

1.   A method of transforming an original Java Server Page (JSP) file into a pervasive computing (PvC) device specific JSP file, comprising:
     receiving a request for the original JSP file at a server, wherein the request is sent from the PvC device, and wherein the original JSP file is stored on the server;
     parsing the original JSP file for JSP tags;
     masking the JSP tags;
     converting non-masked tags in the original JSP file into PvC device specific format tags;
     unmasking the JSP tags; and
     storing a transformed JSP file containing the PvC device specific format tags and the JSP tags, wherein the parsing, masking, converting, unmasking and storing steps are performed by the server.

The claimed invention is directed to the conversion of a Java Server Page (JSP) from a format intended for a desktop browser to a format intended for a much smaller device. The JSP is still a JSP, but the claimed method changes the formatting to one specific to the smaller device. The conversion is managed by simply converting the format tags within the page, since Java code is already transportable to disparate devices. To convert the formatting tags without destroying the JSP tags, which pull in dynamic content, the JSP tags are masked during the conversion process and later unmasked as recited in claim 1.

If the Patent Office does not produce a *prima facie* case of unpatentability, then without more the applicant is entitled to grant of a patent. *In re Oetiker*, 977 F.2d 1443, 1445, 24 U.S.P.Q.2d 1443, 1444 (Fed. Cir. 1992); *In re Grabiak*, 769 F.2d 729, 733, 226

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[1] Office Action dated July 25, 2005, pages 3-6

U.S.P.Q. 870, 873 (Fed. Cir. 1985). A prima facie case of obviousness is established when the teachings of the prior art itself suggest the claimed subject matter to a person of ordinary skill in the art. *In re Bell*, 991 F.2d 781, 783, 26 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1993). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

The Patent Office has not produced a prima facie case of unpatentability against this claim for at least three reasons. First, the suggested combination of **Hawkins** and **Ginter** would not meet the features of the claimed invention. Second, one of ordinary skill in the art would not combine these references in the suggested manner because one of ordinary skill in the art would recognize that **Hawkins** teaches away from the masking steps of **Ginter** when converting files to a format compatible with pervasive computing devices. Finally, one of ordinary skill in the art would not combine these references when they are looked at as a whole.

Combination does not meet features

In contrast to the invention recited in Claim 1, **Hawkins** is making a more drastic conversion. **Hawkins** discloses:

> The wireless communications device 100 and proxy server 180 communicate with each other using a compressed transport protocol (CTP) built on top of IP. The goal of this protocol is to enable a user to fetch and display a web page on the wireless communications device 100 with a one packet request sent to the proxy server 180. Typically, a one packet response is returned to the wireless communications device 100. ... The proxy server 180 transmits a typical page of web content to the wireless communications device 100 in roughly 500 bytes. This can be challenging given that most web pages have lots of formatting information, hot links and images. Web pages are typically many Kbytes in size. A hot link reference can easily take up 100 bytes or more. Just to fill the wireless communications device screen 101 with text (11 lines of 35 characters each) would take nearly 400 bytes even if there were no formatting information included.[2]

Because of the severe constraints **Hawkins** places on the communications between the wireless device and the proxy server (e.g. 500 bytes), this patent is not just

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[2] Hawkins, column 10, lines 27-44, underlining added

converting format codes within the document, but is also converting the language that the web page is coded in:

> In order to send web content to the wireless client 405 in a minimal number of bytes, the proxy server 180 does not use the HTML standard generally used by Internet servers. ... The wireless client 405 and the proxy server 180 use a special format for transferring screen 101 contents from the proxy server 180 to the wireless client 405 ... named Compact Markup Language (CML), emphasizes compactness over readability and generally uses variable length binary bit fields instead of text to represent options and formatting information. ... CML compresses all text. In one embodiment, the default CML compression scheme formats text using a form of a five-bit character alphabet with escapes. ... Essentially, CML is a stream of text and image data with imbedded formatting commands (tags). The tags are imbedded as binary data and hence are very compact. Every tag is "sticky"; that is the tag continues to have an effect until explicitly changed by another tag of the same type. For example, a tag in the front of a document that specifies bold text makes the entire document bold, unless another tag later in the document turns off the bold formatting. This is in contrast with many HTML tags, such as paragraph formatting commands, that only affect the next paragraph.[3]

Concerning the first assertion above – that the combination of **Hawkins** and **Ginter** does not met the features of the claims – the excerpt from **Hawkins** above makes it manifestly clear that, even if the page starts out in the format of a Java Server Page, **Hawkins** would convert both text and tags to binary in the interest of cramming the response into as small a packet as possible. Thus, a JSP that is converted by **Hawkins** would no longer be in the same format; it would no longer be recognizable to programs as a JSP. To follow this to its logical conclusion, a conversion performed by **Hawkins**, even if it included the masking of **Ginter**, would not end with the claimed *transformed JSP file containing the PvC device specific format tags and the JSP tags*, because the file would no longer be one that would be recognized as a Java Server Page.

Hawkins teaches against combination

Further, **Hawkins** teaches that all tags are converted to binary in order to compress them. This teaches away from masking certain tags during the conversion, such as JSP tags, as this would leave the JSP tags in an uncompressed format. Thus, the use of **Ginter** in the manner suggested by the rejection, would run counter to **Hawkins**.

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[3] Excerpted from Hawkins, column 21, line 20 through column 22, line 30

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Therefore, one of ordinary skill in the art would not be motivated to combine these two references.

References looked at as a whole would not be combined

Additionally, in considering the references as a whole, one of ordinary skill in the art would look at the problems recognized and solved.

Hawkins recognizes problems with handheld devices accessing Internet information, noting:

> An issue with using handheld devices to access the Web is related to their capabilities. Even if connected to a high bandwidth network, most handheld devices do not have the screen area or the processing power to display the graphics and large amounts of text in a typical web page. However, it is still desirable to support the browsing of information on the Web using handheld devices. It is further desirable that the handheld devices be able to use networks that have relatively low bandwidths.[4]

In contrast, **Ginter** is directed towards problems with controlling the use electronic content, noting:

> ... this invention relates to systems and techniques for secure transaction management. This invention also relates to computer-based and other electronic appliance-based technologies that help to ensure that information is accessed and/or otherwise used only in authorized ways, ... protecting rights of various participants in electronic commerce and other electronic or electronically-facilitated transactions ... secure chains of handling and control for both information content and information employed to regulate the use of such content and consequences of such use ... secure architectures, including, for example, tamper-resistant hardware-based processors, that can be used to establish security at each node of a distributed system.

These two problems are entirely unrelated and one of ordinary skill in the art would not be motivated to combine these two references when they are read a whole.

As further support, the two cited references provide entirely different solutions. **Hawkins** solves the problem of low bandwidth and small devices by limiting the amount of information that must be transmitted in each direction, noting that *advantages are achieved with customized content*[5] and by keeping *the number of packets sent over the*

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[4] Hawkins, column 2, lines 53-61
[5] Hawkins, column 2, lines 39-40

wireless link between the wireless communications device and the proxy server ... small[6].
To keep the number of packets low, **Hawkins** discloses a system using two different query protocols in which a web server receives queries from a client in first protocol and translates the queries into a new set of related queries in a second protocol. These new queries are sent to a server, which returns responses. The responses are formatted into a form for use by the client.

In contrast, **Ginter** controls the use of electronic content by providing

> ... systems and methods for electronic commerce including secure transaction management and electronic rights protection. Electronic appliances such as computers employed in accordance with the present invention help to ensure that information is accessed and used only in authorized ways, and maintain the integrity, availability, and/or confidentiality of the information. Secure subsystems used with such electronic appliances provide a distributed virtual distribution environment (VDE) that may enforce a secure chain of handling and control, for example, to control and/or meter or otherwise monitor use of electronically stored or disseminated information. ... These techniques may be used to support an end-to-end electronic information distribution capability that may be used, for example, utilizing the "electronic highway."[7]

Ginter solves the problem of controlling electronic content through a distributed virtual distribution environment... .

Thus, one of ordinary skill in the art would not be motivated to combine these tow references in the manner suggested by the examiner. The references can be combined only through the improper use of hindsight with the benefit of applicants' disclosure as a template to reach the presently claimed invention.

For all of the above reasons, the rejection of claim 1 is overcome. Claims 8, 15, and 22 are rejected for the same reasons as claim 1, so their rejections are also overcome. Further Claims 6, 7, 13, 14, 20, 21, and 28 are dependent on claims 1, 8, 15, and 22, so these claims inherit the allowability of their parent claims.

Therefore, the rejection of claims 1, 6, 7, 8, 13, 14, 15, 20-22, 27 and 28 under 35 U.S.C. § 103(a) has been overcome.

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[6] Hawkins, column 2, lines 60-63
[7] Ginter, abstract

II.   35 U.S.C. § 103. Obviousness: Claims 2-5, 9-12, 16-19, 23-26, and 29-31

Claims 2, 3, 9, 10, 16, 17, 23 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Hawkins** in view of **Ginter** and further in view of Judson (6,185,586) (hereinafter "Judson"). This rejection is respectfully traversed.

Claims 4-5, 11-12, 18-19 and 25-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Hawkins** in view of **Ginter** and further in view of Ramaley et al. (6,585,777) (hereinafter "**Ramaley**"). This rejection is respectfully traversed.

Claims 29-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Hawkins** in view of **Ginter** and further in view of Toyouchi et al., (6,847,988) (hereinafter "**Toyouchi**"). This rejection is respectfully traversed.

All of these claims are dependent on the claims in Section I. Since the independent claims are allowable, these dependent claims inherit the allowability of their independent claims. Additionally, **Judson, Ramaley,** and **Toyouchi** do not correct the deficiencies of **Hawkins** and **Ginter**, as discussed above. Therefore, the rejection of claims 2, 3, 9, 10, 16, 17, 23 and 24 under 35 U.S.C. § 103(a) has been overcome.
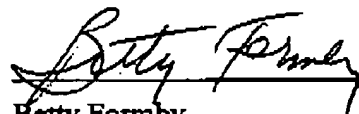
III.   Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

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